

EXHIBIT 14

JOHN HAWKINS - 3/6/2014

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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ASARCO, LLC,)	CASE NO. 4:11-CV-00864 JAR
)	
PLAINTIFF,)	VIDEOTAPED DEPOSITION OF
)	JOHN HAWKINS
VS.)	
)	
NL INDUSTRIES, INC.,)	
ET AL.,)	
)	
DEFENDANTS.)	

- - - - -

VIDEOTAPED DEPOSITION OF JOHN HAWKINS,
taken before Kristin M. Teel, RPR, CRR, CSR(IA),
General Notary Public within and for the State of
Nebraska, beginning at 9:01 a.m., on March 6, 2014,
at Thomas & Thomas Court Reporters, 1321 Jones
Street, Omaha, Nebraska.

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1 rail lines contiguous with any of the SEMO sites?

2 MS. McINTOSH: Objection: Calls for
3 a legal conclusion, protective order.

4 THE WITNESS: I will answer that --

5 MS. McINTOSH: Also -- sorry --
6 inconsistent with beyond the scope of the topics.

7 THE WITNESS: Okay. I am not aware
8 of an active Union Pacific rail line that is
9 contiguous to a SEMO site.

10 BY MR. BELANCIO:

11 Q. What about running through a SEMO site?

12 MS. McINTOSH: Objection: Vague,
13 calls for a legal conclusion, protective order.

14 THE WITNESS: No, no active line
15 would run through a SEMO site.

16 MR. HERZ: Could we just move the
17 speaker closer to the witness a little bit?

18 MR. BELANCIO: Sure, Joel.

19 MR. HERZ: He's falling out.

20 MR. BELANCIO: I'm going to attempt
21 to do it without hanging it up.

22 MR. HERZ: Thank you.

23 MS. McINTOSH: It's like a
24 disembodied head.

25 MR. BELANCIO: I forgot Joel was

1 there. All right.

2 THE WITNESS: I'm sorry, Joel, I
3 haven't spoken up very well.

4 MR. HERZ: That's much better. I
5 really appreciate it. Thank you so much.

6 THE WITNESS: Excellent.

7 BY MR. BELANCIO:

8 Q. Okay. Are you aware of any abandoned
9 lines that are contiguous with any SEMO sites?

10 MS. McINTOSH: Objection: Vague,
11 calls for a legal conclusion.

12 THE WITNESS: I have only researched
13 the lines of Union Pacific and railroads that
14 operated in the corporate chain.

15 I've only -- more specific, I've looked at
16 Union Pacific, Missouri Pacific, Mississippi River
17 Bonne Terre, Missouri Illinois, Illinois Southern,
18 and St. Louis Iron Mountain Lines with respect to
19 historic operations.

20 BY MR. BELANCIO:

21 Q. Okay. With that in mind, can you answer
22 my question as to those railroads?

23 A. So your question --

24 MS. McINTOSH: Obj- --

25 THE WITNESS: -- as to those

1 railroads operated on and the appearance of tailings
2 piles, which in St. Francois County is what we're
3 generally talking about, it's difficult to
4 understand the timing between those.

5 So the railroad -- a railroad may have
6 owned property at some point that got close to or
7 entered what is now a tailings pile, but it's hard
8 to tell what the --

9 BY MR. BELANCIO:

10 Q. Right. And --

11 A. -- period of that was.

12 MS. McINTOSH: Excuse me. He was
13 completing his answer. Allow him to complete,
14 please.

15 THE WITNESS: No. I -- I -- so
16 it's -- it's difficult to -- railroads and tailing
17 piles are fundamentally incompatible with each
18 other, but -- you can't really run a train through a
19 tailings pile. So having an active railroad in a
20 tailings pile just doesn't work very well.

21 BY MR. BELANCIO:

22 Q. Irrespective of timing, did any of the
23 abandoned lines of the railroads that you've
24 researched run through SEMO sites?

25 MS. McINTOSH: Objection: Protective

1 order, compound, vague, calls for speculation.

2 THE WITNESS: No, they did not run
3 through a SEMO site.

4 BY MR. BELANCIO:

5 Q. Let's talk about the three that you
6 discussed ran contiguous or near SEMO sites. Please
7 list them.

8 A. Okay. The three locations were -- and I
9 will -- I'll list them. If you wish to discuss
10 further, we can do so.

11 Q. Thank you.

12 A. Would be the North Bonne Terre at Leadwood
13 and at Columbia Mine, which is near Flat River.

14 Q. As to the first in North Bonne Terre,
15 which rail -- which company was it?

16 MS. McINTOSH: Objection: Vague.

17 THE WITNESS: I don't understand your
18 question.

19 BY MR. BELANCIO:

20 Q. Let me rephrase that entirely.

21 In regard to the North Bonne Terre, is
22 that on an active line or an abandoned line?

23 MS. McINTOSH: Objection: Vague.

24 THE WITNESS: The -- the location
25 they identified as near a tailing pile in

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1 C E R T I F I C A T E

2 I, Kristin Teel, a Certified Shorthand
3 Reporter, hereby certify that the witness in the
4 foregoing deposition was by me duly sworn to tell
5 the truth, the whole truth, and nothing but the
6 truth in the within-entitled cause;

7 That said deposition was taken down in
8 shorthand by me, a disinterested person, at the time
9 and place therein stated, and that the testimony of
10 the said witness was thereafter reduced to
11 typewriting, by computer, under my direction and
12 supervision;

13 That before completion of the deposition,
14 review of transcript was requested. If requested,
15 any changes made by the deponent (and provided to
16 the reporter) during the period allowed are appended
17 hereto;

18 I further certify that I am not of counsel
19 or attorney for either or any of the parties to the
20 said deposition, nor in any way interested in the
21 event of this cause, and that I am not related to
22 any of the parties thereto.

23 DATED: March 14, 2014

24
25 KRISTIN TEEL, CRR, RPR, CSR(IA)
CSR NO. 1261